

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM FRENCH, <i>et al.</i> ,	:	CIVIL NO. 3:23-cv-00538
	:	
Plaintiffs,	:	(Judge Mannion)
	:	
v.	:	(Magistrate Judge Schwab)
	:	
COUNTY OF LUZERNE, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

**ORDER**

February 7, 2024

**IT IS ORDERED** that a settlement conference is **SCHEDULED** for **March 6, 2024, at 9:30 a.m.**, at the Sylvia H. Rambo United States Courthouse, 1501 North 6th Street, Harrisburg, Pennsylvania before the undersigned. On arrival please report to the Clerk's Office.

Counsel are advised that their client representatives with complete authority to negotiate and consummate a settlement shall be in attendance at the settlement conference. The purpose of this requirement is to have in attendance a representative who has both the authority to exercise his or her own discretion and the realistic freedom to exercise such discretion without negative consequences, in order to settle a case during the settlement conference, if appropriate, without consulting someone else who is not present. Furthermore, this individual must have full authority up to the amount of plaintiff's demand. I expect the lawyers and the party representatives

to be fully prepared to participate, and all the parties are encouraged to keep an open mind in order to re-assess previous positions.

In the event that counsel appear for the conference without their client representatives authorized as described above, I may, in my discretion, cancel or reschedule the settlement conference. The non-complying party, attorney, or both, may also be assessed the costs or expenses incurred by other parties as a result of such cancellation or rescheduling, as well as any additional sanctions deemed appropriate by the court.

**IT IS ALSO ORDERED** that on or before **February 20, 2024**, plaintiffs' counsel shall submit a written itemization of damages and a settlement demand to defendants' counsel with a brief explanation of why such a settlement is appropriate. On or before **February 23, 2024**, defendants' counsel shall submit a written offer to plaintiffs' counsel along with a brief explanation of why such a settlement is appropriate.

Last, **IT IS ORDERED** that on or before **February 26, 2024**, each party shall submit a settlement memorandum to my Chambers by email at [magistrate\\_judge\\_schwab@pamd.uscourts.gov](mailto:magistrate_judge_schwab@pamd.uscourts.gov), not on the Court's docket. In the settlement memoranda, the parties shall provide a specific recitation of the facts, a discussion of the strengths and weaknesses of the case, and the parties' positions on settlement, including a report on settlement efforts to date. If not already part of the

Court's record, copies of any critical agreements, business records, photographs, or other documents or exhibits shall be attached to the settlement memoranda. The memoranda, though, should not be lengthy; instead, they should contain enough information to be useful in analyzing the factual and legal issues in this case.

**S/Susan E. Schwab**

Susan E. Schwab

United States Magistrate Judge